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Counsel for Defendant GARCIA-MENDOZA

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
Plaintiff,

vs.

SANTOS GARCIA-MENDOZA,  
Defendant.

No. CR 09-805 WHA

**STIPULATION AND ~~PROPOSED~~  
ORDER CONTINUING  
SENTENCING**

Date: January 26, 2010

Time: 2:00 p.m.

Court: The Honorable William H. Alsup

STIPULATION

The parties agree to continue the sentencing in the above-captioned matter from January 26, 2010 until February 23, 2010 at 2:00 p.m. The purpose of the continuance is to enable defense counsel to provide all relevant mitigating sentencing information to the Probation Officer to ensure the Presentence Report is complete. Under the current schedule, the Presentence Report draft would need to be completed by mid December. This is not adequate time for defense counsel to provide the mitigating information to the Probation Officer, as numerous documents must be obtained from Mexico in this matter, and said documents need to be translated from Spanish to English.

Special Assistant United States Attorney Daryl Eremin has no objection to continuing the sentencing to February 23, 2010, as evidenced by his signature at the conclusion of this stipulation. Moreover, United States Probation Officer Jessica Goldsberry has been contacted, and has no

1 objection to continuing the sentencing to February 23, 2010 at 2:00 p.m.

2  
3 IT IS SO STIPULATED.

4  
5 DATED: 11/24/09

/S/  
ELIZABETH M. FALK  
Assistant Federal Public Defender

6  
7 DATED: 11/24/09

/S/  
DARYL EREMIN  
Assistant United States Attorney

8  
9  
10 ~~[PROPOSED]~~ ORDER

11 Based upon the aforementioned representations of the parties, it is hereby ORDERED that the  
12 sentencing in this matter be continued from January 26, 2010 to February 23, 2010 at 2:00 p.m. It is  
13 further ORDERED that the Final Presentence Report is due to this Court no later than February 8,  
14 2010.  
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18 DATED: November 30, 2009

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THAT IT IS SO ORDERED AM H. ALSUP  
UNETH WILLIAM ALSUP COURT JUDGE  
